

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **In Re Olga Trawczynski Deceased**  
Docket No. **287368**  
L.C. No. **2008-192688 TV**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal filed on August 25, 2008, is DISMISSED for lack of jurisdiction because it was not filed within 21 days of the April 24, 2008 order denying reconsideration as required by MCR 7.204(A)(1)(b). Unlike a general circuit court appeal, probate court orders do not merge into each other. The Court of Appeals has limited jurisdiction regarding probate court orders. See MCR 5.801(B), (C), and (D). If the order of March 10, 2008, satisfies one or more of the categories of MCR 5.801(B)(1)(a) through (bb), the claim of appeal was required to be filed within 21 days of April 24, 2008 because a final order must be appealed immediately. See *Klco v Dynamic Training Corporation*, 192 Mich App 39 (1991). If the March 10, 2008, order does not fall within one of the twenty-eight categories, the order cannot be appealed to this Court even if there is a subsequent unchallenged order that does satisfy one or more of the twenty-eight categories. See *Comerica Bank v Adrian*, 179 Mich App 712 (1989).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

OCT 15 2008

Date

*Sandra Schultz Mengel*

Chief Clerk